United Nations S/2001/147

Security Council

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20 February 2001

Original: English

Letter dated 18 February 2001 from the Permanent Representative of Rwanda to the United Nations addressed to the President of the Security Council

On instructions from my Government, I would like to inform you that the Government of Rwanda has taken note of the statement issued at the conclusion of the consultations among signatories to the Lusaka Ceasefire Agreement at the summit level, which took place in Lusaka, Zambia, on 15 February 2001, and welcomes the resolution of two key issues which have been at the heart of the delays in implementing the Lusaka Ceasefire Agreement.

We welcome the declaration of the President of the Democratic Republic of the Congo, to the effect that the Inter-Congolese Dialogue Facilitator, Sir Ketumile Masire, will be invited shortly to begin consultations with the interested parties, with a view to begin the dialogue as soon as possible.

Furthermore, the Government of Rwanda welcomes the announced deployment of the second phase of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) by 26 February 2001 and the cooperation with the United Nations to which the Democratic Republic of the Congo has committed itself. It looks forward to further discussions on the deployment concept the Secretary-General has prepared at the Political Committee/Security Council meetings scheduled for 21-22 February 2001 in New York.

The Government of Rwanda, in furtherance of its commitment to a full and expeditious implementation of the Lusaka Ceasefire Agreement, takes this opportunity to reaffirm its earlier offer to pull back its forces to new intermediate positions, not less than 200 km from all forward positions. This will be done in enhancement of the Kampala Disengagement Plan of 8 April 2000 and the Harare sub-plans of 6 December 2000, now fully subscribed to by all the parties.

The Rwanda Patriotic Army (APR/RPA) forces, in pursuance of this objective, will withdraw from all forward positions on 28 February 2001 at 00:00 hours, starting with Pweto. The forces will move to new positions which have been indicated to the MONUC Commander.

The Government of Rwanda takes this opportunity to urge all parties to the Lusaka Ceasefire Agreement and the United Nations to push the peace process forward by supporting full implementation of the Agreement as it is. In particular, Rwanda wishes to see commitment by all parties to the disarmament of and non-cooperation with the former forces armées rwandaises (ex-FAR) and Interahamwe,

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as provided for by the Lusaka Ceasefire Agreement and relevant Security Council resolutions.

I would be grateful if this letter were translated and circulated to all members as a document of the Security Council.

(*Signed*) Joseph W. **Mutaboba**
Ambassador
Permanent Representative

United Nations S/2001/148

Security Council

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Report of the Secretary-General on the situation concerning Western Sahara

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1324 (2000) of 30 October 2000, by which the Council extended the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 28 February 2001 and requested me to provide an assessment of the situation before the end of that mandate. The Security Council acted in the expectation that the parties, the Kingdom of Morocco and the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente POLISARIO), would continue to try to resolve the multiple problems relating to the implementation of the settlement plan and try to agree upon a mutually acceptable political solution to their dispute over Western Sahara. The present report covers developments since my previous report to the Council, dated 25 October 2000 (S/2000/1029).

II. Developments during the reporting period

A. Activities of the Personal Envoy of the Secretary-General

2. During the reporting period, my Personal Envoy, James A. Baker III, was required to undertake duties in relation to the presidential elections held in the United States of America. He was therefore not able to dedicate the time and effort necessary to fully follow up to see if the Government of Morocco, as administrative Power in Western Sahara, was prepared to offer or support some devolution of authority for all inhabitants and former inhabitants of the Territory that was genuine, substantial and in keeping with international norms. My Personal Envoy has recently informed me that he is now able to fully re-engage in trying to assist the parties in finding an early, durable and agreed resolution to their dispute over Western Sahara.

B. The 2001 Paris-Dakar rally

3. The planned crossing, in early January 2001, of the Paris-Dakar rally into Western Sahara contributed to a marked increase in tensions between the parties, the repercussions of which are still being felt. On several previous occasions, most recently in 1999, the rally had crossed Western Sahara, with prior consultations by the organizers with the two parties. On that occasion, only Morocco was contacted for the rally's permission to cross the Territory. Given its dissatisfaction over the continuing deadlock in the implementation of the United Nations settlement plan, in a communiqué issued on 22 December 2000 and in subsequent statements, the Frente POLISARIO indicated that the passage of the rally through the Territory would constitute a violation of the ceasefire. It warned that it would no longer consider itself bound by the ceasefire and would resume its military activities, in self-defence, on the day the rally entered the Territory. Moroccan Government officials vowed that, in such an eventuality, the Kingdom would take all necessary defensive measures.

4. As the 7 January 2001 date of the rally crossing into Western Sahara drew nearer, both sides resorted to stronger statements, and the possibility of an outbreak

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of hostilities appeared increasingly serious. MINURSO military observers reported indications of a partial mobilization and extensive military movements of Frente POLISARIO units. Later contacts by the rally organizers with the Frente POLISARIO representative in Paris did not help to redress the situation. In order to discuss the deteriorating situation and urge restraint, my Special Representative, William Eagleton, met with the Frente POLISARIO Coordinator with MINURSO, Emhamed Khaddad, in Tindouf on 4 January. While pledging to continue to cooperate with MINURSO, Mr. Khaddad called the rally a provocation by Morocco and the organizers, and warned again that the ceasefire would end if the rally crossed into Western Sahara.

5. In a statement issued on 5 January 2001, my Special Representative emphasized that passage of the rally did not imply recognition of sovereignty over a Territory whose final status remained to be determined. He stated that military action by either party would constitute a gross violation of the ceasefire and appealed for utmost restraint by all concerned. Several Governments made similar appeals to both parties.

6. On the day the rally crossed into the Territory, on 7 January 2001, a brief communiqué was issued by the Frente POLISARIO, stating that the rally crossing constituted a flagrant breach of the ceasefire, for which it held Morocco responsible. It added, however, that following appeals by the presidency of the Organization of African Unity (OAU), friendly countries, including Algeria, as well as the United States of America, the Frente POLISARIO had decided to suspend its decision regarding the resumption of military activities.

7. Although that decision averted the immediate threat to peace in the area, it did not restore the situation to where it had been before the rally. The rally and its aftermath have increased animosity between the parties and seriously raised tensions in the area.

C. Appeals process

8. The Identification Commission continued its work on files consolidation and data quality control, with particular attention to preparations for the technical review of the appeals admissibility and for the appeal hearings on substance. The Commission had received a total of 131,038 appeals, following the issuance of the first part of the provisional voter list in July 1999 (containing the names of 84,251 applicants identified as eligible to vote, out of 144,369 interviewed by the Commission) and of the second part of the list in January 2000 (containing the names of 2,161 eligible applicants, out of 51,220 interviewed). The numerical breakdown and geographical distribution of these appeals are provided in annex I to the present report.

9. The overwhelming majority of the appeals filed (115,645) are against exclusion from the provisional voter list, with most of them (108,708) falling under article 9.1(iii) of the Appeals Procedures (that is, applicants rejected by the Identification Commission who are bringing new evidence). Most of those appellants have listed one or two witnesses to support their claims, with only limited documentary evidence, especially as regards appellants from tribal groupings H41, H61 and J51/52. The remaining appeals received are subdivided as follows: 1,260 appellants are claiming that the Commission failed to convoke or to identify them, under article 9.1(i) of the appeals procedures; 5,079 appellants have claimed force majeure, under article 9.1(ii) of the Appeals Procedures; while 643 appellants not identified claim to be on the 1991 revised census list. The final category of appellants (15,393 persons), includes those who are contesting the inclusion of other persons on the provisional voter list, under article 9.2 of the Appeals Procedures.

10. Regarding potential additional appellants, the Government of Morocco estimates that those who reached 18 years of age after 31 December 1993 may number about 30,000, while the Frente POLISARIO believes that their total number may not exceed 11,000, including 5,000 in Tindouf.

11. I wish once again to acknowledge the close cooperation received from OAU in the United Nations effort to resolve the dispute in Western Sahara and to express my appreciation for the contribution made by the OAU observer delegation to MINURSO, led by the OAU Senior Representative, Ambassador Yilma Tadesse (Ethiopia).

D. Prisoners of war

12. In my report of 25 October 2000 (S/2000/1029), I joined the International Committee of the Red Cross (ICRC) in urging the repatriation, on humanitarian

grounds, of all the remaining Moroccan prisoners of war held by the Frente POLISARIO. On 14 December, 201 of the prisoners, more than half of whom had been held for more than 20 years, were repatriated in a flight from Tindouf (Algeria) to Agadir (Morocco), under the auspices of ICRC. In the wake of this positive development, which was achieved with the cooperation of Algeria and the Frente POLISARIO, I once again join ICRC in calling for the early repatriation of the remaining 1,481 prisoners of war, many of whom are in poor health after a very long detention.

E. Military aspects

13. As of 16 February 2001, the strength of the military component of MINURSO stood 230 military personnel (see annex II). Under the command of General Claude Buze (Belgium), the military component continued to monitor the ceasefire between the Royal Moroccan Army and the Frente POLISARIO military forces, which came into effect on 6 September 1991. With the end of the hot season last year, both the Royal Moroccan Army and Frente POLISARIO units increased their training activities, until early December 2000 when observance of the holy month of Ramadan began.

14. Progress continued in the implementation of the military agreements between MINURSO and the two parties on the marking and disposal of mines and unexploded ordnance and the exchange of related information, until late December 2000. During the reporting period, the Royal Moroccan Army and the Frente POLISARIO military forces conducted a total of 13 operations for the disposal of explosives and ammunition and marked 28 sites of mines and unexploded ordnance.

15. Such progress, however, cannot be reported after late December 2000, in view of the developments described in paragraphs 3 and 4 above. On 31 December 2000, Frente POLISARIO liaison officers advised MINURSO military observers that, effective 1 January 2001, they would not be allowed within 800 metres of Frente POLISARIO unit locations. On 17 January, a statement was issued by the Frente POLISARIO imposing restrictions on the freedom of movement of MINURSO air and ground reconnaissance patrols. At the same time, since 3 January 2001, all Frente POLISARIO units have deployed outside of their confinement locations without prior notification to MINURSO. Such redeployment without prior notification, as well as restrictions on MINURSO's freedom of movement, are in violation of the military agreements between MINURSO and the two parties pertaining to ceasefire arrangements. These violations were brought to the attention of the Frente POLISARIO, in a letter from the MINURSO Force Commander dated 16 January 2001. At a meeting in the Tindouf area on 31 January, Frente POLISARIO officials confirmed to MINURSO that the restrictions imposed on United Nations military observers could not be lifted. Discussions on the issue are continuing at the technical level.

16. On 6 January, the MINURSO Force Commander received a letter from the Frente POLISARIO claiming that a Royal Moroccan Army unit had penetrated the same day into the buffer zone (a 5-km strip from the berm), thus violating the military agreements between MINURSO and the parties pertaining to the ceasefire. The Royal Moroccan Army rejected the allegation, and later MINURSO investigations could not confirm these allegations.

F. Civilian police aspects

17. The current strength of the civilian police component of MINURSO stands at 47 officers, under the command of Inspector General Om Prakash Rathor (India). The civilian police officers continue to protect files and sensitive materials at the Identification Commission centres at Laayoune and Tindouf and to undertake training and planning for possible future activities. In that respect, MINURSO civilian police officers underwent briefings by the liaison office of the Office of the United Nations High Commissioner for Refugees (UNHCR) in Laayoune on the protection content of voluntary repatriation and on international instruments concerning refugees.

G. Preparatory work for the repatriation of Saharan refugees

18. During the reporting period, UNHCR continued to carry out its mandated responsibilities for the Saharan refugees in the Tindouf camps in Algeria. Based on the results obtained from the pre-registration and refugee needs assessment exercise, in providing assistance UNHCR pays special attention to the

vulnerable groups, including women and children. UNHCR also continued to consult and cooperate with my Special Representative and MINURSO components regarding the UNHCR role, as foreseen in the United Nations settlement plan.

19. At the initiative of the World Food Programme (WFP) office in Algeria, a group of representatives from the international donor community in Algiers undertook a familiarization visit to the refugee camps in Tindouf from 9 to 11 February 2001, to observe the international relief efforts of humanitarian agencies, including UNHCR, WFP, ECHO and several non-governmental organizations. The group met with refugees and their leadership and discussed with the relief agencies ways of ascertaining food and non-food assistance needs. The group also visited the humanitarian projects being carried out in the camps, in agriculture, education, health, income-generation and vocational training, with special focus on projects and activities benefiting vulnerable refugees, in particular women and children.

III. Financial aspects

20. As indicated in my previous report to the Security Council (S/2000/1029, para. 26), the General Assembly, by its resolution 54/268 of 15 June 2000, appropriated the amount of US$ 49.3 million, equivalent to a monthly rate of some $4.1 million, for the maintenance of MINURSO for the period from 1 July 2000 to 30 June 2001. Therefore, should the Security Council approve my recommendations contained in paragraph 23 below with regard to the extension of the mandate of MINURSO, the cost of maintaining the Mission will be within the monthly rate approved by the General Assembly. As at 31 January 2001, unpaid assessed contributions to the Special Account for MINURSO amounted to $94.2 million. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to $2,652.4 million.

IV. Observations and recommendations

21. As the events described in paragraphs 3 to 6 above show, the period since my last report has witnessed a deterioration in the relations between the two parties. Although at the last minute the Frente POLISARIO decided not to act on its threat to resume hostilities, a climate of increased mistrust and bitterness has set in between the parties and this is undermining the agreed ceasefire regime.

22. Regrettably, I cannot report any progress towards overcoming the obstacles to the implementation of the settlement plan, or towards determining whether the Government of Morocco, as administrative Power in Western Sahara, is prepared to offer or support some devolution of authority for all inhabitants and former inhabitants of the Territory that is genuine, substantial and in keeping with international norms. The only positive development during the period has been the decision by the Frente POLISARIO, on 14 December 2000, in keeping with a prior commitment to my Personal Envoy, to release 201 Moroccan prisoners of war on humanitarian grounds. I wish to express my deep appreciation to the Frente POLISARIO for this gesture and my gratitude to the International Committee of the Red Cross and all those who assisted in facilitating the repatriation.

23. My Personal Envoy has recommended to me that the mandate of MINURSO be extended for a period of two months, until 30 April 2001, in order to see whether the Government of Morocco is prepared to offer or support some devolution of governmental authority as described above. Failing such offer or support, MINURSO will be directed to begin hearing the pending appeals from the identification process on an expedited basis, without regard as to how long it might be expected to take to complete them. My Personal Envoy has also advised me that this is the last request that he will support for a mandate extension to provide time to determine if the Government of Morocco is prepared to offer or support some devolution of authority as described above. I share the views of my Personal Envoy as expressed above and recommend that the Security Council extend the mandate of MINURSO for a period of two months until 30 April 2001.

Annex I

Appeals received by area of filing and by category

Location	*Against exclusion*	*Against inclusion*	*Total*	*Percentage*
Territory	32 789	11 886	44 675	34.1
Morocco	80 124	23	80 147	61.1
Tindouf	1 822	3 484	5 306	4.1
Mauritania	910	0	910	0.7
Total	**115 645**	**15 393**	**131 038**	**100.0**

Annex II

United Nations Mission for the Referendum in Western Sahara: contributions as at 20 February 2001

	Military observers	*Troops*	*Civilian police*	*Total*
Argentina	1			1
Austria	4			4
Bangladesh	6			6
Belgium	1*			1
China	16			16
Egypt	18			18
El Salvador	2			2
France	25			25
Ghana	6	7	1	14
Greece	1			1
Guinea	3			3
Honduras	12			12
Hungary	6		1	7
Ireland	3			3
India			10	10
Italy	5			5
Jordan			9	9
Kenya	8			8
Malaysia	13			13
Nigeria	5		9	14
Norway			2	2
Pakistan	6			6
Poland	5			5
Portugal	4		9	13
Republic of Korea		20		20
Russian Federation	25			25
Senegal			5	5
Sweden			1	1
Uruguay	13			13
United States of America	15			15
Total	**203**	**27**	**47****	**277**

* Force Commander.

** Authorized strength is 81.

Map No. 3691 Rev. 31 UNITED NATIONS
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Cartographic Section

United Nations S/2001/149

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Letter dated 19 February 2001 from the Permanent Representative of Belarus to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith a statement issued on 17 February 2001 by the Ministry of Foreign Affairs of the Republic of Belarus in connection with the air strikes carried out by the United States of America and the United Kingdom against targets to the south-west of Baghdad (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Sergei **Ling**
Ambassador
Permanent Representative

01-25694 (E) 210201 210201

Annex to the letter dated 19 February 2001 from the Permanent Representative of Belarus to the United Nations addressed to the Secretary-General

Statement by the Ministry of Foreign Affairs of the Republic of Belarus

The Ministry of Foreign Affairs of the Republic of Belarus expresses its deep concern at the air strikes carried out by the United States of America and the United Kingdom against targets to the south-west of Baghdad.

The Republic of Belarus reaffirms its unwavering position that the use of force in contravention of United Nations Security Council resolutions is inadmissible, and condemns the practice of perpetrating military attacks against Iraq.

Such actions represent flagrant violations of international law and undermine the system established in the Charter of the United Nations for the maintenance of international peace and security. These acts merely exacerbate the situation, both in the region and at the global level.

The Republic of Belarus believes it is necessary to make full use of the potential of the United Nations Security Council to prevent and resolve conflict situations by peaceful means.

17 February 2001

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Letter dated 20 February 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Uganda to the United Nations addressed to the President of the Security Council

On instructions of my Government, I have the honour to forward a statement issued by the Government of Uganda following the Third Summit in Lusaka, Zambia, of signatories to the Ceasefire Agreement in the Democratic Republic of the Congo, on 15 February 2001 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Daudi M. **Taliwaku**
Ambassador
Deputy Permanent Representative/
Chargé d'affaires, a.i.

01-25644 (E) 200201

Annex to the letter dated 20 February 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Uganda to the United Nations addressed to the President of the Security Council

The Government of Uganda strongly maintains that the Lusaka Ceasefire Agreement remains the most viable framework for the resolution of the conflict in the Democratic Republic of the Congo, especially in as far as it addresses:

(a) The security concerns of the Democratic Republic of the Congo and the neighbouring countries;

(b) The internal dimension of the conflict through a national dialogue, involving all the Congolese parties with equal say.

The Government of Uganda reaffirms its commitment to the peace process in the Democratic Republic of the Congo and in particular to the full implementation of the Lusaka Ceasefire Agreement. It supports the Kampala Disengagement Plan and the subsequent sub-plans signed in Harare on 6 December 2000. It is Uganda's ardent hope that all of the other parties to the Agreement will continue moving in the same positive direction, as reaffirmed by all the parties at the Summit of 15 February 2001 in Lusaka.

Uganda further welcomes the following recent developments:

(a) The improved rapport of the Government of the Democratic Republic of the Congo with the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), as this will contribute to the early deployment of the United Nations observers to, inter alia, monitor the disengagement and deployment exercise;

(b) The expressed commitment of the Government of the Democratic Republic of the Congo to the national dialogue under the facilitation of H.E. Sir Ketumile Masire;

(c) The planned deployment by the United Nations of MONUC observers on 26 February 2001;

(d) Reaching of consensus, at the Lusaka Summit, by all the parties to implement the area-to-area disengagement and redeployment plans.

As a demonstration of Uganda's serious commitment to a successful implementation of the Lusaka Ceasefire Agreement and in order to encourage further progress, the Government of Uganda has decided to withdraw an additional two battalions from the Democratic Republic of the Congo and invites MONUC to witness the withdrawal. The two battalions to be withdrawn will be in addition to the five battalions that were withdrawn in August of last year. The Government of Uganda expects the other parties to reciprocate this gesture of goodwill by implementing all outstanding provisions of the Agreement so as to make possible a total withdrawal of all foreign forces, in accordance with the provisions of the Agreement.

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Letter dated 18 February 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

Further to our letter dated 5 February 2001 addressed to you (S/2001/115) and on instructions from my Government, I have the honour to transmit to you herewith a letter dated 14 February 2001 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of Iraq. Appended to the Minister's letter is a table showing violations of Iraq's international boundaries committed by United States and British warplanes flying across the demilitarized zone monitored by the United Nations Iraq-Kuwait Observation Mission (UNIKOM) in the period from 27 January to 9 February 2001.

The Minister urges you to secure the necessary technical systems to enable UNIKOM to perform its functions in the manner required by its mandate under the relevant Security Council resolutions and to track and identify all of these violations and encroachments, which constitute wanton aggression against Iraq and against its people, its sovereignty and its territory and are incompatible with the relevant Security Council resolutions, the Charter of the United Nations and the norms of international law.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed A. **Al-Douri**
Ambassador
Permanent Representative

01-25952 (E) 220201 230201

Annex to the letter dated 18 February 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

Further to our letter dated 4 February 2001 addressed to you (S/2001/115, annex), I should like to inform you that United States and British warplanes committed 133 violations of Iraq's international boundaries by way of the demilitarized zone monitored by the United Nations Iraq-Kuwait Observation Mission (UNIKOM) in the period from 27 January to 9 February 2001. On the basis of the table appended to this letter, the relevant Iraqi authorities have determined that the violations committed were as follows:

1. Armed and hostile aerial activity by the United States and the United Kingdom, violating our international boundaries from the demilitarized zone, comprised 133 sorties in the following governorates: Basrah, Muthanna, Najaf, Qadisiyah, Maysan, Wasit and Dhi Qar.

2. Our technical systems identified the aircraft violating Iraq's airspace on an almost daily basis as American F-15s and F-16s and British Tornadoes.

3. All of the armed and hostile sorties that violated Iraq's airspace from the demilitarized zone received support from an AWACS aircraft operating inside Saudi Arabian airspace and an E-2C aircraft operating inside Kuwaiti airspace.

All of the violations in question were committed by way of the demilitarized zone in which UNIKOM is stationed. UNIKOM has the responsibility of monitoring such hostile military operations and reporting them immediately or, at the very least, including information in their regard in the periodic reports that it submits to you and thence to the Security Council for purposes of documentation. The members of the Council and the international community in general are thus informed of the violations of the demilitarized zone committed by United States and British warplanes and of the aggression in which such aircraft engage on a daily basis against Iraqi territory so that they may take appropriate measures to halt these violations.

The statements of UNIKOM to the effect that it is unable to monitor or identify these aircraft cannot be maintained in the light of the scientific and technological capabilities that are available or that UNIKOM is in a position to obtain and utilize in order to fulfil the requirements of its mandate by establishing the identity and country of the warplanes that are violating Iraq's sovereign airspace.

I accordingly urge you once more to secure the systems that will allow UNIKOM to perform its functions in the manner required by its mandate under the relevant Security Council resolutions by identifying all aerial violations of the demilitarized zone, which constitute wanton aggression against Iraq and against its people, its sovereignty and its territory and are incompatible with the relevant Security Council resolutions, the Charter of the United Nations and the norms of international law.

I request you to have this letter circulated as a document of the Security Council.

(*Signed*) Mohammed Said **Al-Sahaf**
Minister for Foreign Affairs of the Republic of Iraq

Appendix

Hostile aerial activity violating Iraq's international boundaries from Kuwait, 27 January-9 February 2001

No.	*Date*	*From*	*Time*	*Type*	*Sorties*	*Altitude (metres)*	*Speed (km/h)*	*Areas overflown*
1	27 January-2 February	Kuwait	0830-1430	F-15, F-16	55	10,000-11,000	720-780	Basrah, Qurnah, Ashbajah, Samawah, Najaf, Diwaniyah, Busayyah, Umm Qasr
2	3-9 February	Kuwait	0940-2135	F-15, F-16	78	10,000-11,000	720-780	Basrah, Maysan, Wasit, Dhi Qar, Muthanna, Qadisiyah

Total sorties: 133

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Letter dated 20 February 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 20 February 2001 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, concerning a statement made by a spokesman for the United Kingdom Ministry of Defence affirming that the six United Kingdom aircraft which took part in the attack against Iraq had taken off from Kuwait and returned to their bases in that country, thereby demonstrating that the Saudi and Kuwaiti Governments support the ongoing acts of aggression against Iraq.

The Minister urges you, once more, to perform the duties assigned to you under the Charter by bringing an immediate halt to this aggression and ensuring that the aggressors bear full responsibility for it.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed A. Al Douri
Ambassador
Permanent Representative

01-25856 (E) 210201 210201

Annex to the letter dated 20 February 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

In my letter to you of 17 February 2001 concerning the new and iniquitous act of aggression carried out against Iraq by the United States of America and the United Kingdom on 16 February 2001 (S/2001/146, annex), I referred to the fact that this act of aggression had been launched from Saudi and Kuwaiti territory, making Saudi Arabia and Kuwait key partners in it, so that they bear international responsibility for it under international law. I should like to draw your attention and the attention of the international community to new evidence in this regard.

On 17 February 2001 the Cable News Network company (CNN) broadcast a report by its London correspondent, Christiane Amanpour, in which a spokesman for the United Kingdom Ministry of Defence was quoted as saying that the six United Kingdom aircraft that took part in the attack against Iraq had taken off from Kuwait and returned to their bases in that country after committing an act of aggression against Baghdad.

This statement offers additional concrete evidence that the United States of America and the United Kingdom are using Kuwaiti and Saudi territory to launch attacks against Iraq, and that the Saudi and Kuwaiti Governments are offering financial and logistic support for acts of aggression that have been continuously perpetrated against Iraq over the last 10 years.

Iraq reaffirms its legitimate and inherent right of self-defence under Article 51 of the Charter and its inherent right under international law to compensation for the damage, in both human and material terms, that is caused by these ongoing acts of aggression. It urges you, once more, to perform the duties assigned to you under the Charter by bringing an immediate halt to the aggression and ensuring that the aggressors bear full responsibility for it under law.

(*Signed*) Mohammed Said **Al-Sahaf**
Minister for Foreign Affairs of the Republic of Iraq

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Letter dated 16 February 2001 from the Permanent Representative of Sweden to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement on the situation in southern Serbia issued on 15 February 2001 by the Presidency of the European Union on behalf of the European Union (see annex).

I should be grateful if you would have this letter and its annex distributed as a document of the Security Council.

(*Signed*) Pierre **Schori**
Permanent Representative of Sweden to the United Nations

01-25886 (E) 210201 210201

Annex to the letter dated 16 February 2001 from the Permanent Representative of Sweden to the United Nations addressed to the Secretary-General

[Original: English and French]

Statement on the situation in southern Serbia issued on 15 February 2001 by the Presidency of the European Union on behalf of the European Union

The European Union supports the initiative of the Belgrade authorities to find a peaceful and durable solution to the current situation in southern Serbia which risks destabilizing the region.

It welcomes the plan adopted by the Governments of the Federal Republic of Yugoslavia and Serbia on 8 February and presented by Serb Deputy Prime Minister Covic to the European Union Political and Security Committee today. The plan, which aims at giving a comprehensive response to the crisis, will serve as a good basis for further discussions. In the long term, the economic and social development of the region, the full integration of the Albanian community into political life and civil society, and respect for human rights and minorities in line with international standards are the only guarantee for stability in the area within a democratic Federal Republic of Yugoslavia. This political, economic and social approach corresponds to the spirit of the Zagreb Summit and the Stability Pact.

The success of this initiative depends primarily on the efforts of the parties concerned, but will require the support of the international community.

The European Union will support political, economic and social measures in favour of the local population while respecting the sovereignty and territorial integrity of the Federal Republic of Yugoslavia. The European Commission and European Union member States have already committed well over 1 million euros for humanitarian and development projects (notably support for schools) in the Presevo region. The Commission has announced today an additional assistance of 900,000 euros to municipalities concerned.

At the start of the crisis the European Union, with the agreement of the Yugoslav leadership, sent European Union Monitor Mission observers to report on the development of the crisis as well as to contribute to early warning and confidence-building in the area in conformity with its mandate. A reinforcement of the personnel on the spot has been agreed.

The European Union looks forward to the Serb and Yugoslav authorities' implementing measures in favour of full integration of the Albanian community as soon as possible to build the necessary confidence.

The European Union expects the Albanian community in southern Serbia to designate representatives who can engage in a constructive dialogue with the Serb and Yugoslav authorities. This implies an immediate cessation of violence by the armed extremist Albanian groups notably in the ground safety zone (GSZ).

The European Union reiterates its condemnation of all acts of violence. It appeals to Kosovars with political authority to distance themselves clearly and publicly from the actions of armed extremist groups in southern Serbia.

The European Union emphasizes the importance of the continuing efforts of the Kosovo Force (KFOR), notably to ensure the effective control of the administrative boundary between Kosovo and Serbia.

The European Union is ready to work closely with the authorities of the Federal Republic of Yugoslavia and Serbia with a view to examining further support aimed at contributing to a peaceful and sustainable solution in southern Serbia.

United Nations S/2001/154

Security Council

Distr.: General
21 February 2001

Original: English

Report of the Secretary-General pursuant to paragraph 6 of Security Council resolution 1329 (2000)

1. By paragraph 6 of resolution 1329 (2000) of 30 November 2000, the Security Council requested the Secretary-General to submit to the Council, as soon as possible, a report containing an assessment and proposals regarding the date ending the temporal jurisdiction of the International Tribunal for the Former Yugoslavia.

2. The present report is submitted pursuant to that request.

3. By paragraph 1 of resolution 808 (1993) of 22 February 1993, the Security Council decided that an international tribunal should be established for the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991.

4. By paragraph 2 of that same resolution, the Security Council requested the Secretary-General to submit for its consideration a report on all aspects of that matter, including specific proposals and, where appropriate, options for the effective and expeditious implementation of that decision.

5. In the report that he submitted pursuant to that request (S/25704 and Add.1), the Secretary-General noted that paragraph 1 of Security Council resolution 808 (1993) extended the temporal jurisdiction of the International Tribunal that the Council had decided was to be established, to serious violations of international humanitarian law committed in the territory of the former Yugoslavia "since 1991" (S/25704, annex, para. 62).

6. The Secretary-General observed that he understood this to mean any time on or after 1 January 1991. He did not, however, make any observation in his report regarding the terminal date (dies ad quem) of the temporal jurisdiction of the International Tribunal. The article relating to the territorial and temporal jurisdiction of the International Tribunal that the Secretary-General proposed for inclusion in the future Tribunal's statute accordingly did not specify any terminal date for the Tribunal's temporal jurisdiction.

7. Having considered the report of the Secretary-General, the Security Council decided, in paragraph 2 of its resolution 827 (1993) of 25 May 1993, to establish an international tribunal for the sole purpose of prosecuting persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia between 1 January 1991 and a date to be determined by the Council upon the restoration of peace and, to that end, to adopt the statute of the International Tribunal that was annexed to the Secretary-General's report.

8. Article 8 of the statute of the International Tribunal for the Former Yugoslavia provides, in relevant part, that "(t)he temporal jurisdiction of the International Tribunal shall extend to a period beginning on 1 January 1991".

9. The Tribunal's statute therefore does not specify any terminal date for its temporal jurisdiction; nor does it contain any provision as a result of which that terminal date might be determined or otherwise become definite.

10. In accordance with the decision of the Security Council contained in paragraph 2 of its resolution 827 (1993), that date was left for subsequent determination by the Council "upon the restoration of peace".

01-25862 (E) 220201

11. The Security Council has, to date, not made any such determination.

12. It is apparent, moreover, from the subsequent decisions of the Security Council relating to the conflicts in the former Yugoslavia, that the Council does not consider peace to have been restored in the region.

13. Thus, the Security Council has made repeated determinations in its resolutions relating to the situation in Bosnia and Herzegovina that "the situation in the region continues to constitute a threat to international peace and security". The most recent determination by the Council to this effect is contained in its resolution 1305 (2000) of 21 June 2000.

14. In its resolutions concerning the situation in Kosovo, the Security Council has also made determinations that the situation in the region constitutes a threat to international peace and security. The most recent determination of the Council to this effect is contained in its resolution 1244 (1999) of 10 June 1999.

15. In view of these repeated determinations by the Security Council that the situation in the region of the former Yugoslavia constitutes a threat to international peace and security, the Secretary-General considers that he is not in a position to make an assessment to the effect that peace has been restored in the former Yugoslavia.

16. He is accordingly not in a position to recommend to the Security Council a date that the Council might, pursuant to its decision in paragraph 2 of resolution 827 (1993), determine to be the terminal date of the temporal jurisdiction of the International Tribunal for the Former Yugoslavia.

United Nations S/2001/155

Security Council

Distr.: General
21 February 2001
English
Original: French

Letter dated 21 February 2001 from the Permanent Representative of Algeria to the United Nations addressed to the President of the Security Council

With a view to the consideration by the Security Council, at the end of this month, of the question of Western Sahara and the renewal of the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO), and following the issue of the most recent report of the Secretary-General on the question of Western Sahara, I should like to share with you, on behalf of Algeria, an observer State to the process of implementation of the Settlement Plan, the following comments:

1. Pursuant to Security Council resolution 1324 (2000) of 30 October 2000, the two parties, "under the auspices of the Secretary-General's Personal Envoy, will continue to try to resolve the multiple problems relating to the implementation of the Settlement Plan and try to agree upon a mutually acceptable political solution to their dispute over Western Sahara".

Consequently, the United Nations, which has a duty to make efforts in the two directions specified by the Security Council, may under no circumstances give preference to one alternative over the other, much less favour the quest for "a mutually acceptable political solution" over the implementation of the Settlement Plan and the Houston Accords, which have the unanimous support of the international community.

2. In his report on the situation concerning Western Sahara (S/2000/1029) of 25 October 2000, the Secretary-General of the United Nations stated that if the progress he and his Personal Envoy hoped to make in their quest for a "mutually acceptable political solution" had not materialized during the next extension of the mandate of MINURSO, the Mission "should begin hearing the pending appeals from the identification process on an expedited basis, without regard as to how long it might be expected to take to complete them" (para. 31).

Since the Secretary-General's most recent report, which has just been submitted to the Security Council, apparently does not reveal any such progress, MINURSO should logically begin an immediate hearing of the pending appeals from the identification process, thereby resuming the implementation of the Settlement Plan that was accepted on 30 August 1988 by the two parties and approved by the Security Council through its resolutions 658 (1990) and 690 (1991) of 27 June 1990 and 29 April 1991, respectively, as being the only framework for a just and lasting solution to the dispute.

01-25868 (E) 210201 210201

The international community has all the more right to expect the United Nations to act promptly to implement the Settlement Plan in view of the General Assembly's further reiteration of the full validity of the Plan at its fifty-fifth session and the fact that the Security Council has constantly expressed — most recently in its resolution 1324 (2000) of 30 October 2000 — its full support for the continued efforts exerted by MINURSO to implement the Settlement Plan and agreements adopted by the parties.

3. Algeria believes that the question of the appeals — whose hearing modalities were agreed by the two parties in the identification and appeals protocols concluded in May 1999 in New York under United Nations auspices, and which represent the last obstacle before the commencement of the interim period leading up to the referendum — should and can be settled if the United Nations decides to take a firm stand and mobilize the necessary human and financial resources.

Algeria believes that, if it is conducted quickly, effectively and rigorously, the appeals process can be carried out within a reasonable period of time. The Department of Peacekeeping Operations of the Secretariat should be able to provide prompt, useful and precise guidelines on the duration of this process.

4. My country, which has never stinted in its support for the Secretary-General of the United Nations, his Personal Envoy or his Special Representative in their efforts towards the implementation of the Settlement Plan and the holding of a free, fair and impartial referendum, with a view to the self-determination of the people of Western Sahara, would like to reiterate its belief that there is no other just and lasting way to settle the question of Western Sahara than the one based on international law, that is, on the free expression by the Saharan people of their inalienable right to self-determination.

5. Algeria, which attaches the greatest importance to the full collaboration of the two parties with the Secretary-General, his Personal Envoy and his Personal Representative, urges them to continue such collaboration in order to implement the various phases of the Settlement Plan with a view to the holding of the long-awaited referendum as soon as possible.

I should be grateful if you would have the text of this letter distributed as a document of the Security Council.

(*Signed*) Abdallah **Balli**
Ambassador
Permanent Representative

United Nations A/ES-10/59–S/2001/156

General Assembly
Security Council

Distr.: General
21 February 2001

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Fifty-sixth year

Identical letters dated 21 February 2001 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and to the President of the Security Council

I regret to inform you that the Israeli military campaign against the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, continues to cause loss of life and injury to Palestinian civilians as well as grave living conditions. In recent days, the Israeli occupying forces have committed brutal acts resulting in the killing of more Palestinian civilians, serious injuries and the destruction of homes and property. In this regard, one of the killings was clearly another targeted assassination carried out by the forces of the occupying Power.

Since our last letter to you, dated 13 February 2001 (A/ES-10/58-S/2001/131), on this grave matter, 10 Palestinian civilians have been killed by the Israeli occupying forces. (The names of the 10 martyrs are contained in the annex to the present letter.) Further, in follow-up to our previous letters in this regard, dated from 29 September 2000 to 13 February 2001 (A/55/432-S/2000/921; A/55/437-S/2000/930; A/55/450-S/2000/957; A/55/466-S/2000/971; A/55/474-S/2000/984; A/55/490-S/2000/993; A/ES-10/39-S/2000/1015; A/ES-10/40-S/2000/1025; A/ES-10/42-S/2000/1068; A/ES-10/43-S/2000/1078; A/ES-10/44-S/2000/1093; A/ES-10/45-S/2000/1104; A/ES-10/46-S/2000/1107; A/ES-10/47-S/2000/1116; A/ES-10/48-S/2000/1129; A/ES-10/49-S/2000/1154; A/ES-10/50-S/2000/1173; A/ES-10/51-S/2000/1185; A/ES-10/52-S/2000/1206; A/ES-10/53-S/2000/1247; A/ES-10/54-S/2001/7; A/ES-10/55-S/2001/33; A/ES-10/56-S/2001/50; A/ES-10/57-S/2001/101; and A/ES-10/58-S/2001/131), I regret to inform you that this brings the total number of Palestinians killed by the occupying forces to 358 martyrs.

This continued killing and injuring of Palestinian civilians by the forces of the occupying Power in its ongoing military campaign in the Occupied Palestinian Territory are a matter of daily grave concern to which the international community should give its serious attention.

01-25850 (E) 210201

I would be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, and of the Security Council.

(*Signed*) Marwan **Jilani**
Chargé d'affaires a.i.

Annex to the identical letters dated 21 February 2001 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and to the President of the Security Council

Names of martyrs killed by Israeli security forces in the Occupied Palestinian Territory, including Jerusalem (Wednesday, 14 February, through Tuesday, 20 February 2001)

Wednesday, 14 February 2001

Ayed Tawfiq Abu Jarab

Thursday, 15 February 2001

1. Nasser Mohammed Al-Hassnat
2. Mohammed Ali Zuhair

Friday, 16 February 2001

1. Anwar Mustafa Mere i
2. Issam Rashid Al-Tawil
3. Shaker Suleiman Al-Manasreh
4. Mohammed Ismail Al-Hawamdeh

Sunday, 18 February 2001

Ahmad Ismail Faraj-Allah

Monday, 19 February 2001

Mahmoud Suleiman Al-Madani

Tuesday, 20 February 2001

Mohammed Ibrahim Al-Korbi (18 years old)

United Nations S/2001/157

Security Council

Distr.: General
22 February 2001
English
Original: English and French

Draft resolution

The Security Council,

Recalling its resolutions 1234 (1999) of 9 April 1999, 1258 (1999) of 6 August 1999, 1265 (1999) of 17 September 1999, 1273 (1999) of 5 November 1999, 1279 (1999) of 30 November 1999, 1291 (2000) of 24 February 2000, 1296 (2000) of 19 April 2000, 1304 (2000) of 15 June 2000, 1323 (2000) of 13 October 2000 and 1332 (2000) of 14 December 2000 and the statements of its President of 13 July 1998 (S/PRST/1998/20), 31 August 1998 (S/PRST/1998/26), 11 December 1998 (S/PRST/1998/36), 24 June 1999 (S/PRST/1999/17), 26 January 2000 (S/PRST/2000/2), 5 May 2000 (S/PRST/2000/15), 2 June 2000 (S/PRST/2000/20) and 7 September 2000 (S/PRST/2000/28),

Reaffirming the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and of all States in the region,

Reaffirming further the obligation of all States to refrain from the use of force against the territorial integrity and political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,

Reaffirming also the sovereignty of the Democratic Republic of the Congo over its natural resources, and *noting* with concern reports of the illegal exploitation of the country's assets and the potential consequences of these actions for security conditions and the continuation of hostilities,

Expressing its alarm at the dire consequences of the prolonged conflict for the civilian population throughout the territory of the Democratic Republic of the Congo, in particular the increase in the number of refugees and displaced persons and *stressing* the urgent need for substantial humanitarian assistance to the Congolese population,

Expressing its deep concern at all violations of human rights and international humanitarian law, including atrocities against civilian populations, especially in the eastern provinces,

Deeply concerned at the increased rate of HIV/AIDS infection, in particular amongst women and girls as a result of the conflict,

Gravely concerned by the continued recruitment and use of child soldiers by armed forces and groups, including cross-border recruitment and abduction of children,

01-26202 (E) 220201

Reaffirming its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Reaffirming its support for the Lusaka Ceasefire Agreement (S/1999/815), as well as the Kampala plan and the Harare sub-plans for disengagement and redeployment,

Stressing the importance of giving new impetus to the peace process in order to secure the full and definitive withdrawal of all foreign troops from the Democratic Republic of the Congo,

Also stressing the importance of advancing the political process called for under the Lusaka Ceasefire Agreement and facilitating national reconciliation,

Recalling the responsibilities of all parties to cooperate in the full deployment of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), and *noting* with satisfaction the recent statements by the President of the Democratic Republic of the Congo and his assurances of support for the deployment of MONUC,

Welcoming the participation of the members of the Political Committee of the Lusaka Ceasefire Agreement in its meetings of 21 and 22 February 2001, and *stressing* the need for the parties to honour the commitments they made to take concrete steps to advance the peace process,

Commending the outstanding work of MONUC personnel in challenging conditions, and *noting* the strong leadership of the Special Representative of the Secretary-General,

Taking note of the Secretary-General's report of 12 February 2001 (S/2001/128) and his conclusion that the necessary conditions of respect for the ceasefire, a valid plan for disengagement and cooperation with MONUC are being met,

Determining that the situation in the Democratic Republic of the Congo continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Notes* the recent progress made in achieving respect for the ceasefire, and *urgently calls* on all parties to the Lusaka Ceasefire Agreement not to resume hostilities and to implement this agreement, as well as the agreements reached in Kampala and Harare and the relevant Security Council resolutions;

2. *Demands once again* that Ugandan and Rwandan forces and all other foreign forces withdraw from the territory of the Democratic Republic of the Congo in compliance with paragraph 4 of its resolution 1304 (2000) and the Lusaka Ceasefire Agreement, and *urges* these forces to take urgent steps to accelerate this withdrawal;

3. *Demands* that the parties implement fully the Kampala plan and the Harare sub-plans for disengagement and redeployment of forces without reservations within the 14-day period stipulated in the Harare Agreement, starting from 15 March 2001;

4. *Welcomes* the commitment by the Rwandan authorities in their letter of 18 February 2001 (S/2001/147), to withdraw their forces from Pweto in accordance

with the Harare Agreement, *calls on* them to implement this commitment, and *calls on* other parties to respect this withdrawal;

5. *Welcomes also* the commitment of the Ugandan authorities to reduce immediately by two battalions the strength of their forces in the territory of the Democratic Republic of the Congo, *calls* on the Ugandan authorities to implement this commitment, and *calls* on MONUC to verify it;

6. *Urges* the parties to the Lusaka Ceasefire Agreement to prepare and adopt not later than 15 May 2001, in close liaison with MONUC, a precise plan and schedule which, in accordance with the Lusaka Ceasefire Agreement, would lead to the completion of the orderly withdrawal of all foreign troops from the territory of the Democratic Republic of the Congo, and *requests* the Secretary-General to report to it by 15 April 2001 on the progress of these efforts;

7. *Demands* that all the parties refrain from any offensive military action during the process of disengagement and withdrawal of foreign forces;

8. *Urges* all the parties to the conflict, in close liaison with MONUC, to prepare by 15 May 2001 for immediate implementation prioritized plans for the disarmament, demobilization, reintegration, repatriation or resettlement of all armed groups referred to in Annex A, Chapter 9.1, of the Lusaka Ceasefire Agreement, and *demands* that all parties cease all forms of assistance and cooperation with these groups and use their influence to urge such groups to cease their activities;

9. *Condemns* the massacres and atrocities committed in the territory of the Democratic Republic of the Congo, and *demands* once again that all the parties concerned put an immediate end to violations of human rights and international humanitarian law;

10. *Demands* that all armed forces and groups concerned bring an effective end to the recruitment, training and use of children in their armed forces, *calls upon* them to extend full cooperation to MONUC, the United Nations Children's Fund, and humanitarian organizations for speedy demobilization, return and rehabilitation of such children, and *requests* the Secretary-General to entrust the Special Representative of the Secretary-General for Children and Armed Conflicts with pursuing these objectives on a priority basis;

11. *Calls on* all parties to ensure the safe and unhindered access of relief personnel to all those in need, and *recalls* that the parties must also provide guarantees for the safety, security and freedom of movement of United Nations and associated humanitarian relief personnel;

12. *Calls also on* all the parties to respect the principles of neutrality and impartiality in the delivery of humanitarian assistance;

13. *Calls on* the international community to increase its support to humanitarian relief activities within the Democratic Republic of the Congo and in neighbouring countries affected by the crisis in the Democratic Republic of the Congo;

14. *Reminds* all parties of their obligations with respect to the security of civilian populations under the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 and *stresses* that occupying

forces should be held responsible for human rights violations in the territory under their control;

15. *Welcomes* the expressed willingness of the authorities of the Democratic Republic of the Congo to proceed with the inter-Congolese Dialogue under the aegis of the neutral Facilitator, Sir Ketumile Masire, and in this regard *welcomes* the announcement by the President of the Democratic Republic of the Congo at the Summit in Lusaka on 15 February 2001 that the Facilitator has been invited to Kinshasa, and *calls on* all Congolese parties to take immediate concrete steps to take forward the inter-Congolese dialogue;

16. *Reiterates* that MONUC shall cooperate closely with the Facilitator of the Inter-Congolese Dialogue, provide support and technical assistance to him, and coordinate the activities of other United Nations agencies to this effect;

17. *Calls* on all the parties to the conflict to cooperate fully in the deployment and operations of MONUC including through full implementation of the provisions and the principles of the Status of Forces Agreement throughout the territory of the Democratic Republic of the Congo, and *reaffirms* that it is the responsibility of all the parties to ensure the security of United Nations personnel, together with associated personnel;

18. *Requests* the parties, as a follow-up to the discussions on this matter at the Lusaka Summit on 15 February 2001, to relocate the Joint Military Commission (JMC) to Kinshasa, co-locating it at all levels with MONUC, and *calls on* the authorities of the Democratic Republic of the Congo to ensure the security of all the JMC members;

19. *Reaffirms* the authorization contained in resolution 1291 (2000) and the mandate set out in its resolution for the expansion and deployment of MONUC, and *endorses* the updated concept of operations put forward by the Secretary-General in his report of 12 February 2001, with a view to the deployment of all the civilian and military personnel required to monitor and verify the implementation by the parties of the ceasefire and disengagement plans, stressing that this disengagement is a first step towards the full and definitive withdrawal of all foreign troops from the territory of the Democratic Republic of the Congo;

20. *Emphasizes* that it will be prepared to consider a further review of the concept of operations for MONUC, when appropriate and in the light of developments, in order to monitor and verify the withdrawal of foreign troops and the implementation of the plan mentioned in paragraph 8 above and, in coordination with existing mechanisms, to enhance security on the border of the Democratic Republic of the Congo with Rwanda, Uganda and Burundi, and *requests* the Secretary-General to make proposals when appropriate;

21. *Reaffirms* that it is ready to support the Secretary-General if and when he deems that it is necessary and it determines that conditions allow it to deploy troops in the border areas in the east of the Democratic Republic of the Congo, including possibly in Goma or Bukavu;

22. *Welcomes* the dialogue initiated between the authorities of the Democratic Republic of the Congo and Burundi, *urges* them to continue their efforts, and *emphasizes* in this respect that the settlement of the crisis in Burundi

would contribute positively to the settlement of the conflict in the Democratic Republic of the Congo;

23. *Welcomes also* the recent meetings of the parties, including the meeting of the Presidents of the Democratic Republic of the Congo and Rwanda, *encourages* them to intensify their dialogue with the goal of achieving regional security structures based on common interest and mutual respect for the territorial integrity, national sovereignty and security of both States, and *emphasizes* in this respect that the disarmament and demobilization of and cessation of any support to the ex-Rwandese Armed Forces and Interahamwe forces will facilitate the settlement of the conflict in the Democratic Republic of the Congo;

24. *Expresses* its full support for the work of the expert panel on the illegal exploitation of natural resources and other forms of wealth in the Democratic Republic of the Congo, and once again *urges* the parties to the conflict in the Democratic Republic of the Congo and the other parties concerned to cooperate fully with it;

25. *Reaffirms* that it attaches the highest importance to the cessation of the illegal exploitation of the natural resources of the Democratic Republic of the Congo, *affirms* that it is ready to consider the necessary actions to put an end to this exploitation, and *awaits with interest* in this respect the final conclusions of the expert panel, including the conclusions relating to the level of cooperation of States with the expert panel;

26. *Reaffirms also* that an international conference on peace, security, democracy and development in the Great Lakes region, with participation by all the Governments of the region and all the other parties concerned, should be organized at the appropriate time under the aegis of the United Nations and the Organization of African Unity with a view to strengthening stability in the region and working out conditions that will enable everyone to enjoy the right to live peacefully within national borders;

27. *Expresses* its intention to monitor closely progress by the parties in implementing the requirements of this resolution and to undertake a mission to the region, possibly in May 2001, to monitor progress and discuss the way forward;

28. *Expresses* its readiness to consider possible measures which could be imposed, in accordance with its responsibilities and obligations under the Charter of the United Nations, in case of failure by parties to comply fully with this resolution;

29. *Decides* to remain actively seized of the matter.

United Nations A/55/799-S/2001/158

General Assembly
Security Council

Distr.: General
21 February 2001

Original: English

General Assembly
Fifty-fifth session
Agenda item 40
The situation in the Middle East

Security Council
Fifty-sixth year

Letter dated 21 February 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General

My Government completely rejects the Palestinian allegations regarding the use of depleted uranium as contained in the letter addressed to you dated 1 February 2001 (A/55/760-S/2001/98).

I wish to stress in the clearest possible language that these allegations are baseless and completely false. Israel does not use such ammunition and any suggestions to the contrary have absolutely no basis in reality.

I should be grateful if you would arrange to have the text of the present letter circulated as a document of the General Assembly, under agenda item 40, and of the Security Council.

(*Signed*) Aaron **Jacob**
Ambassador
Chargé d'affaires a.i.

01-25892 (E) 210201

United Nations S/2001/159

Security Council

Distr.: General
21 February 2001

Original: English

Letter dated 20 February 2001 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to transmit herewith the translation into English of a note verbale dated 28 January 2001 from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Embassy of the Republic of Iraq in Tehran (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Hadi **Nejad-Hosseinian**
Ambassador
Permanent Representative

01-25874 (E) 210201

Annex to the letter dated 20 February 2001 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

Note verbale dated 28 January 2001 from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Embassy of the Republic of Iraq in Tehran

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of the Republic of Iraq in Tehran and has the honour to state the following.

1. On 12 January 2001, at 1230 hours, one Iranian commercial vessel, called *Borhan*, was intercepted, on its way from Kuwait to Abadan, and robbed by an Iraqi frigate. In the course of the attack, four bullets hit the cabin of the vessel and a quantity of clothes and food were stolen.

2. On 8 October 2000, at 2000 hours, one Iranian fishing launch, captained by Amir Poormoarefi, and engaged in fishing inside the Iranian fishing zone, in the Bousseef area (the northern Persian Gulf), came under armed attack by an Iraqi vessel. As a result, one of the Iranian sailors of the launch, Abdulhossein Poormoarefi, was injured.

The Government of the Islamic Republic of Iran, lodging its strong protest against such acts of aggression, which run counter to principles of good-neighbourly relations and international law, holds the Government of the Republic of Iraq responsible for those acts and their consequences, and reserves its right, among others, to seek compensation for the damage sustained. It is to be recalled that the continuation of such acts of aggression affects adversely the process of normalization of relations between the two countries, jeopardizes the safety of navigation in the Persian Gulf and results in the intensification and prolongation of the presence of foreigners in the region.

The Ministry of Foreign Affairs of the Islamic Republic of Iran avails itself of this opportunity to convey to the Embassy of the Republic of Iraq in Tehran the assurances of its highest consideration.

United Nations S/2001/160

Security Council

Distr.: General
21 February 2001
English
Original: French

Letter dated 21 February 2001 from the Secretary-General to the President of the Security Council

I have the honour to attach herewith a copy of the letter that I sent today to the Minister for Foreign Affairs of Iraq (see annex).

I should be grateful if you would bring this letter to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

01-25928 (E) 210201 210201

Annex

Letter dated 21 February 2001 from the Secretary-General to the Minister for Foreign Affairs of Iraq

[Original: English]

I refer to your letter of 17 February 2001 (S/2001/146) regarding the actions that were conducted in the airspace of Iraq during the night of 16 February 2001 by military aircraft of the United States of America and of the United Kingdom of Great Britain and Northern Ireland.

As you are well aware, the "no-fly zones" were declared over parts of the territory of Iraq by certain members of the Security Council, claiming authority under resolutions of the Council.

In this connection, I should like to recall what has always been, and remains, my consistent position, namely, that it is for the Security Council to interpret its own resolutions. Consequently, only the Council itself is competent to determine whether or not its resolutions are of such a nature and effect as to provide a lawful basis for the "no-fly zones" and for the actions that have been taken for their enforcement. Therefore, it is for the Council to address the lawfulness or otherwise of the actions to which you refer in your letter.

In your present letter, as in previous letters, you maintain that those actions, and other actions by aircraft of the United States and of the United Kingdom, have involved transit, and hence violation of the demilitarized zone between Iraq and Kuwait which was established by the Security Council in its resolution 687 (1991) of 3 April 1991. You request that the United Nations Iraq-Kuwait Observation Mission (UNIKOM) take steps to prevent the recurrence of such violations. In this context, I would note the following.

Since it was established in 1991, UNIKOM has monitored the demilitarized zone and has reported violations committed on land, in the airspace and, since 1999, in the waters within that zone. These violations have been recorded on a regular basis and have been reported in the six-monthly reports that I have made to the Security Council on the work of that Mission. From 1999 to date, UNIKOM has recorded over 200 aerial violations of the demilitarized zone. In the majority of cases, however, it has not been possible for UNIKOM to identify the aircraft involved or to determine their nationality.

I should emphasize that the inability of UNIKOM to identify the States that are responsible for conducting such flights is in no way to be understood to constitute condonation of them.

I would note in this regard that, in view of the fact that the United States and the United Kingdom have been conducting military air operations in the region, the United Nations has intervened with representatives of those States urging them to respect the demilitarized zone established by Security Council resolution 687 (1991) of 3 April 1991.

(*Signed*) Kofi A. **Annan**

United Nations S/2001/161

Security Council

Distr.: General
22 February 2001
English
Original: Arabic

Identical letters dated 20 February 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 19 February 2001 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of Iraq. The Minister calls attention to the ongoing wanton aggression against Iraq by United States and British aircraft in the unlawful no-flight zones and to the fact that in the period from 7 to 15 February 2001 they carried out 291 sorties, 99 of them from Saudi Arabia, 128 from Kuwait and 64 from Turkey.

The Minister reaffirms the Government of Iraq's condemnation of these acts of aggression against Iraqi territory, and he states that international responsibility for them must be borne by the United States of America, the United Kingdom and the countries that provide the logistic support for this aggression, namely Saudi Arabia, Kuwait and Turkey. He urges you to perform the duties assigned to you under the Charter by halting this unwarranted aggression and ensuring that it does not recur.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed A. **Al-Douri**
Ambassador
Permanent Representative

01-26152 (E) 230201 260201

Annex to the identical letters dated 20 February 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

I should like to inform you that United States and British warplanes based in Saudi Arabia, Kuwait and Turkey have continued to violate the airspace of the Republic of Iraq. They carried out 291 sorties in the period from 7 to 15 February 2001, 99 of them from Saudi Arabia, 128 from Kuwait and 64 from Turkey, as shown hereunder.

1. In the northern region 64 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 6,000 to 12,000 metres, as follows:

(a) At 1115 hours on 11 February 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 16 missions, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Zakho, Dohuk, Mosul, Amadiyah, Aqrah, Tall Afar, Rawanduz and Baibo areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1450 hours, drove them off.

(b) At 1135 hours on 12 February 2001, United States and British F-14, F-15 and F-16 aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 14 missions, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Zakho, Dohuk, Ayn Zalah, Tall Afar, Mosul, Amadiyah, Aqrah, Sinjar and Irbil areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1410 hours, drove them off.

(c) At 1130 hours on 13 February 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 16 missions, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Dohuk, Amadiyah, Irbil, Mosul, Aqrah, Tall Afar and Ayn Zalah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1500 hours, drove them off.

(d) At 1145 hours on 15 February 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 18 missions, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Mosul, Irbil, Dohuk, Tall Afar, Ayn Zalah, Rawanduz, Baibo, Zakho and Amadiyah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1430 hours, drove them off.

2. In the southern region 227 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 9,000 to 13,000 metres, as follows:

(a) At 0940 hours on 7 February 2001, United States and British F-14, F-15, F-16, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 19 missions, 10 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and nine from the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Basrah, Nasiriyah, Qurnah,

Amarah, Samawah, Diwaniyah, Qal'at Salih, Lasaf, Ashbajah, Shinafiyah and Jalibah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1055 hours, drove them off.

(b) At 1025 hours on 8 February 2001, United States and British F-14, F-15, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 36 missions, 10 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 26 from Kuwaiti territory, by way of the demilitarized zone, with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Umm Qasr, Artawi, Jalibah, Basrah, Qurnah, Nasiriyah, Busayyah, Salman, Samawah, Shatrah, Shinafiyah, Lasaf, Taqtaqanah, Najaf, Ukhaydir, Diwaniyah, Afak, Hayy, Qal'at Salih, Amarah and Kut areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1440 hours, drove them off.

(c) At 1050 hours on 9 February 2001, United States and British F-14, F-15, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 35 missions, 18 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 17 from Kuwaiti territory, by way of the demilitarized zone between Iraq and Kuwait, with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Basrah, Busayyah, Salman, Rifa'i, Shatrah, Rumaythah, Samawah, Qal'at Salih, Qurnah, Shinafiyah, Nasiriyah, Jalibah, Hayy, Kut and Karbala' areas. Our air defences, acting in self-defence, engaged the aircraft and, at 2125 hours, drove them off.

(d) At 0750 hours on 11 February 2001, United States and British F-14, F-15, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 26 missions, 12 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 14 from the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Samawah, Najaf, Hayy, Afak, Ali al-Gharbi, Amarah, Diwaniyah, Umm Qasr, Basrah, Ma'aniyah and Salman areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1030 hours, drove them off.

(e) At 0955 hours on 12 February 2001, United States and British F-14, F-15, F-16 and F-18 aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 38 missions, 20 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 18 from the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Ashbajah, Busayyah, Lasaf, Jalibah, Salman, Nasiriyah, Basrah, Rumaythah, Qal'at Sukkar, Nukhayb, Hayy, Afak, Amarah, Hashimiyah, Taqtaqanah, Shinafiyah, Diwaniyah and Qurnah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1225 hours, drove them off.

(f) At 0805 hours on 13 February 2001, United States and British F-14, F-15, F-16, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 27

missions, nine of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 18 from the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Basrah, Umm Qasr, Faw, Artawi, Nasiriyah, Samawah, Shinafiyah, Lasaf, Ashbajah, Karbala', Najaf, Qal'at Sukkar, Qal'at Salih, Salman and Nukhayb areas. Our air defences, acting in self-defence, engaged the aircraft and, at 2225 hours, drove them off.

(g) At 1300 hours on 15 February 2001, United States and British F-14, F-15, F-16, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 46 missions, 20 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 26 from the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Basrah, Qurnah, Nasiriyah, Samawah, Diwaniyah, Qal'at Salih, Najaf, Hayy, Afak, Taqtaqanah, Nu'maniyah, Lasaf and Artawi areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1545 hours, drove them off.

This aggression illustrates the bellicose attitude being maintained by the United States of America and the United Kingdom towards Iraq. Since 1992, it has become a fixed policy aimed at undermining the country's sovereignty, independence and territorial integrity and at the systematic and concerted destruction of Iraqi lives, infrastructure and civilian installations. It is a policy that has been affirmed in successive statements made by United States and British officials.

The Government of Iraq categorically rejects the two so-called no-flight zones, which were imposed by unilateral decision of the United States of America and the United Kingdom and lack any legal basis. Iraq rejects all the consequences of this illegal decision and, in particular, the flimsy excuses and pretexts used by these States in an attempt to justify their military aggression against our country.

The logistic support provided by Saudi Arabia, Kuwait and Turkey to the Americans and the British has made these countries key partners in the aggression being committed against Iraq, so that they bear full international responsibility under international law. This includes liability for full compensation for the loss and damage, in both human and material terms, that is caused by these illegal practices.

The Government of Iraq further renews its call to the countries participating in this aggression to desist forthwith from internationally prohibited acts that violate Iraq's sovereignty, place its security and integrity in grave danger and pose a direct and serious threat to international peace and security.

As it condemns these acts of aggression against Iraqi targets and installations, the Government of Iraq urges you to perform your assigned duties as they relate to the maintenance of international peace and security by intervening with the governments of the countries in question with a view to inducing them to halt, end

and desist from any resumption of their constant and unwarranted aggression against an independent, sovereign State.

(*Signed*) Mohammed Said **Al-Sahaf**
Minister for Foreign Affairs of the Republic of Iraq

Security Council

Distr.: General
22 February 2001
English
Original: Arabic

Letter dated 20 February 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 20 February 2001 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq. The Minister states Iraq's firm commitment to supporting and assisting the people of Palestine, a commitment it has expressed by allocating 1 billion euros from the revenues held in the escrow account to meet the pressing humanitarian needs of the Palestinian people and by the urgent dispatch overland of hundreds of truckloads of foodstuffs and medicines in order to bolster the steadfastness of the people of Palestine in coping with the siege and the Zionist military aggression. These trucks have, however, been assembling in Jordan for some time, so that the goods they carry may spoil and the Palestinian people may not be able to benefit from them.

The Minister requests you, in accordance with your responsibilities under the Charter, to make every effort to facilitate the passage of these hundreds of Iraqi trucks loaded with foodstuffs and medicines from Jordanian territory into the West Bank in occupied Palestine and also to ensure speedy agreement to Iraq's request for the allocation of 1 billion euros to the Palestinian people as well as approval of the annex to the phase IX distribution plan that relates to the humanitarian needs of the fraternal people of Palestine.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed A. **Al-Douri**
Ambassador
Permanent Representative

01-26119 (E) 220201 230201

Annex to the letter dated 20 February 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

For six months, the Palestinian Arab people has been subjected to a campaign of siege and military aggression that is being conducted by the Zionist usurpers in full view of the entire world for the purpose of inducing this people to renounce its land, the things its holds sacred, its identity and its national, inalienable rights. Over and above the military aggression being committed by the occupying Zionist forces while using the most up-to-date American weapons such as aircraft, helicopters, tanks, armoured personnel carriers, artillery, incendiary munitions, dumdum bullets and toxic gases such as Sarin, the people of Palestine is also being subjected to a siege that has included curfews, the isolation of Palestinian towns and villages from each other and from the outside world, the withholding of electricity and basic services, the closure and, in many cases, destruction of factories, the refusal to allow farmers to go to their fields and the destruction and burning of crops. This savage Zionist campaign has left hundreds of dead and thousands of wounded and has caused enormous suffering to the Palestinian population.

The savage Zionist campaign has elicited the condemnation of the entire world. Iraq has expressed its firm commitment to supporting and assisting the fraternal Arab people of Palestine, and it has allocated 1 billion euros from the revenues held in the escrow account to meet the pressing humanitarian needs of the embattled people of Palestine and to assist the families of the dead and wounded of the Intifadah.

In addition to the foregoing, the Government of Iraq has sent overland, on an urgent basis, hundreds of truckloads of foodstuffs and medicines to bolster the steadfastness of the people of Palestine in coping with the siege and the brutal Zionist military aggression. These trucks have been assembling in Jordan for some time. They are carrying foodstuffs and medicines that are perishable and whose spoilage would prevent the Palestinian Arab people from profiting from them while the suffering caused by the military aggression and the siege is increasing day by day. On behalf of the Government of Iraq, we therefore request you, in accordance with your responsibilities under the Charter, to make every effort to facilitate the passage of these hundreds of Iraqi trucks carrying foodstuffs and medicines from Jordanian territory into the West Bank in occupied Palestine. We further ask you to do your utmost to ensure speedy agreement to Iraq's request for the allocation of the sum of 1 billion euros from the funds in the escrow account to the Palestinian people as well as the expedited approval of the annex to the phase IX distribution plan submitted by Iraq, concerning which it is stated in annex I to your letter dated 13 February 2001 addressed to the President of the Security Council (S/2001/143 [i.e. 134]) that consensus has yet to be reached in the Council in its regard. Iraq requests you to approve the annex to the plan so that it may conclude contracts for the purchase of food, medicines and other humanitarian requirements for the fraternal Palestinian people as quickly as possible.

I request you to urge the members of the Security Council to respond in an expeditious manner and to approve the annex to the phase IX distribution plan designed to meet the humanitarian needs of the fraternal people of Palestine.

(*Signed*) Mohammed Said **Al-Sahaf**
Minister for Foreign Affairs of the Republic of Iraq

United Nations S/2001/163

Security Council

Distr.: General
22 February 2001
English
Original: Arabic

Letter dated 21 February 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to inform you that 272 unexploded cluster bombs, missiles, other ordnance and anti-personnel and anti-tank mines left behind by the 1991 30-nation aggression against Iraq were found and rendered harmless in the period from 1 January to 16 February 2001 in the following Iraqi governorates: Basrah, Dhi Qar, Wasit, Anbar and Salah al-Din.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Mohammed A. **Al-Douri**
Ambassador
Permanent Representative

01-26146 (E) 220201 220201

United Nations A/55/802-S/2001/164

General Assembly
Security Council

Distr.: General
22 February 2001
English
Original: Arabic

General Assembly
Fifty-fifth session
Agenda item 40
The situation in the Middle East

Security Council
Fifty-sixth year

Letter dated 21 February 2001 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government and further to my previous letters on the same subject, I have the honour to convey to you hereunder a list of the violations and infringements that were committed by Israel against Lebanon in the period from 1 to 15 February 2001. Lebanon regards these incidents as an extension of Israel's aggression against its people and territory.

1 February 2001

Between 0950 and 1125 hours Israeli warplanes overflew all parts of Lebanon at various altitudes, breaking the sound barrier. The fraternal forces stationed in the vicinity of Qulay`at air base sounded the warning sirens.

Between 1210 and 1315 hours Israeli enemy forces at the Ruwaysat al-Alam outpost in the occupied Shab`a farmlands directed a number of bursts of medium-machine-gun fire at the surrounding area. Two Israeli helicopters also flew over the Shab`a farmlands.

At 1220 hours there was an explosion of unknown origin inside the Shab`a farmlands.

Between 1800 and 1825 hours two Israeli helicopters flew over the Shab`a farmlands.

2 February 2001

Between 2115 and 2240 hours Israeli forces fired several 120-mm mortar rounds at the Birkat al-Naqqar vicinity in an outlying area of Shab`a, in the liberated territories, from one of their outposts in the occupied Shab`a farmlands.

01-26238 (E) 280201 060301

3 February 2001

Between 1620 and 1630 hours Israeli forces at the Ruwaysat al-Alam outpost in the occupied Shab'a farmlands directed a number of bursts of medium-weapons fire at the surrounding area.

4 February 2001

Between 2000 and 2015 hours Israeli forces at the Ruwaysat al-Alam outpost in the occupied Shab'a farmlands directed a number of bursts of medium-weapons fire at the surrounding area.

5 February 2001

Between 1035 and 1050 hours Israeli warplanes overflew the Naqurah area at very high altitudes.

Between 1245 and 1415 hours Israeli warplanes flew over the occupied Shab'a farmlands at very high altitudes.

6 February 2001

Between 1400 and 1425 hours an Israeli reconnaissance aircraft overflew the Zahrani and Tyre areas at very high altitude.

At 2030 hours an Israeli gunboat in the territorial waters of the occupied territories off Ra's al-Naqurah launched an illumination flare over the same offshore area.

7 February 2001

Between 1550 and 1615 hours Israeli forces fired six 120-mm mortar rounds at the Birkat al-Naqqar vicinity in an outlying area of Shab'a, in liberated Lebanese territory, from one of their outposts in the occupied Shab'a farmlands.

8 February 2001

Between 1420 and 1445 hours Israeli enemy forces fired five 120-mm mortar rounds from the Ruwaysat al-Alam outpost in the occupied Shab'a farmlands. Four tank shells impacted at Sawwanah hill in an outlying area of Shab'a, in liberated territory.

At 1540 hours Israeli enemy forces at the same outpost in the occupied Shab'a farmlands directed a number of bursts of medium-machine-gun fire at the surrounding area.

At 2300 hours Israeli forces launched an illumination flare over Al-Sha'b al-Kasir hill in the occupied Shab'a farmlands.

10 February 2001

Between 0925 and 1005 hours an Israeli reconnaissance aircraft flew over the occupied Shab'a farmlands and the Jazzin area at very high altitude.

Between 1130 and 1230 hours an Israeli reconnaissance aircraft overflew the central Bekaa area as far as Ba'labakk before heading south.

Between 1920 and 1925 hours Israeli enemy forces at the Ruwaysat al-Alam outpost in the occupied Shab'a farmlands directed a number of bursts of medium-weapons fire at the surrounding area.

11 February 2001

Between 1150 and 1210 hours Israeli warplanes overflew the South, the Bekaa, the North and Mount Lebanon at very high altitudes, breaking the sound barrier. They were engaged in the South by the Army's L-11 ground-based anti-aircraft units. An Israeli reconnaissance aircraft also flew over the Naqurah area at very high altitude.

Between 1140 and 1205 hours two Israeli helicopters flew over the occupied Shab'a farmlands.

Between 1640 and 1730 hours Israeli warplanes overflew the Marj Uyun and Nabatiyah areas at very high altitudes, breaking the sound barrier.

Between 1730 and 1740 hours an Israeli helicopter flew over the occupied Shab'a farmlands before leaving in the direction of the occupied territories.

At 2000 hours two Israeli helicopters flew over the Abbad border area.

12 February 2001

Between 2030 and 2115 hours extensive movements by Israeli military vehicles were seen in the Hadab area inside the occupied territories opposite the towns of Yarun and Marun al-Ras.

Between 2125 and 2135 hours Israeli forces at their Ramta hill outpost in the occupied Shab'a farmlands directed a number of bursts of medium-weapons fire at the surrounding area.

13 February 2001

Between 1250 and 1310 hours Israeli enemy forces at their Ruwaysat al-Alam outpost in the occupied Shab'a farmlands directed a number of bursts of medium-machine-gun fire and launched three smoke bombs at the surrounding area.

Between 1900 and 1940 hours there were two explosions of unknown origin in the occupied Shab'a farmlands. An Israeli helicopter then flew over the farmlands before leaving in the direction of the occupied territories.

Between 1815 and 2000 hours Israeli enemy forces carried out a military exercise in the occupied Shab'a farmlands in which light and medium automatic weapons and artillery shells were used. Helicopters and a reconnaissance aircraft also took part.

14 February 2001

In the morning Israeli enemy forces installed two monitoring cameras at the Nabi Uwaydah intersection near the Blue Line between Kafr Killa and Udaysah.

At 2030 hours Israeli forces at the Ra's al-Naqurah position launched five illumination flares over the surrounding area.

Like the previous Israeli violations of which it represents a continuation, this latest series is in flagrant violation of Security Council resolution 425 (1978) and of Lebanon's sovereignty and poses a threat to stability in the region.

I should be grateful if you would have this letter circulated as a document of the General Assembly, under agenda item 40, and of the Security Council.

(*Signed*) Sélim **Tadmoury**
Ambassador
Permanent Representative

United Nations S/2001/165

Security Council

Distr.: General
23 February 2001

Original: English

Draft resolution

The Security Council,

Reaffirming all its previous resolutions on Western Sahara, in particular resolutions 1108 (1997) of 22 May 1997, 1292 (2000) of 29 February 2000, 1301 (2000) of 31 May 2000, 1309 (2000) of 25 July 2000 and 1324 (2000) of 30 October 2000, and also its resolution 1308 (2000) of 17 July 2000,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994,

Welcoming the report of the Secretary-General of 20 February 2001 (S/2001/148) and the observations and recommendations contained therein, and *expressing* full support for the role and work of the Personal Envoy,

Reiterating full support for the continued efforts exerted by the United Nations Mission for the Referendum in Western Sahara (MINURSO) to implement the Settlement Plan and agreements adopted by the parties to hold a free, fair and impartial referendum for the self-determination of the people of Western Sahara,

Noting that fundamental differences between the parties over the interpretation of the main provisions of the Settlement Plan remain to be resolved,

1. *Decides* to extend the mandate of MINURSO until 30 April 2001, with the expectation that the parties, under the auspices of the Secretary-General's Personal Envoy, will continue to try to resolve the multiple problems relating to the implementation of the Settlement Plan and try to agree upon a mutually acceptable political solution to their dispute over Western Sahara;

2. *Requests* the Secretary-General to provide an assessment of the situation before the end of the present mandate;

3. *Decides* to remain seized of the matter.

01-26712 (E) 270201

United Nations S/2001/166

Security Council

Distr.: General
23 February 2001

Original: English

Letter dated 23 February 2001 from the Permanent Representative of Sierra Leone to the United Nations addressed to the President of the Security Council

Upon instructions from my Government, I have the honour to transmit herewith the text of a statement issued by the Government of Sierra Leone on 23 February 2001, concerning the question of sanctions against Liberia (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council

(*Signed*) Ibrahim M. **Kamara**
Ambassador
Permanent Representative

01-26364 (E) 230201

Annex to the letter dated 23 February 2001 from the Permanent Representative of Sierra Leone to the United Nations addressed to the President of the Security Council

MINISTRY OF INFORMATION AND BROADCASTING

GOVERNMENT STATEMENT ON UNITED NATIONS SANCTIONS AGAINST LIBERIA

FRIDAY FEBRUARY 23, 2001

It is now almost a month since the United Nations Security Council discussed the report and recommendations of the UN Panel of Experts set up last year to make an in-depth study of the role of diamonds in fuelling the armed conflict in Sierra Leone.

Sierra Leone participated in that discussion, concurred with the findings of the Panel, and endorsed its recommendation that the Security Council impose sanctions against Liberia for actively supporting the RUF at all levels, in providing military training, weapons, logistical support, staging ground for attacks and a safe haven for RUF retreat and recuperation.

It is now almost two weeks since the Council and an ECOWAS Ministerial delegation met privately in New York to consider the question of imposing a series of sanctions against Liberia. While there was overwhelming support for sanctions, there was a feeling that such measures should be delayed for at least two months to allow the Government of Liberia to comply with a number of commitments it had made to ECOWAS to address the problems

The Government of Sierra Leone took note of the views expressed by both sides in the discussion, and looked forward to the Council's formal response to the ECOWAS request.

Conscious of the need to muster the widest possible support among members of the UN Security Council for the proposed sanctions, the Government of Sierra Leone was even prepared to consider a compromise, namely, that should the Council decide to adopt a draft resolution on sanctions against Liberia immediately, but to have it take effect two months thereafter, Sierra Leone would go along with such a course of action.

However, the Government of Sierra Leone has since come to the conclusion that the basis on which ECOWAS had advocated a two-month delay in the application of sanctions is gradually being eroded by the Liberian Government itself. First of all the least that the Government of Liberia could have done to strengthen the credibility of ECOWAS, and to justify the proposed two-month delay, was to have taken immediate and verifiable action within these two weeks, to fulfill some of those basic commitments that did not require technical or financial assistance from any international organization. It has failed for instance, to show proof and independent verification of the steps it claims it has taken to "disengage" itself from the RUF. It continues to harbor senior members of the RUF and their families. It continues to violate the arms embargo imposed by resolution 788 (1992); the provisions on the sale or supply of arms and related materiel imposed by resolution 1171 (1998); as well as its obligations under the ECOWAS Moratorium on arms imports.

The Government of Liberia is also gradually eroding the credibility of ECOWAS by demonstrating a lack of understanding of the seriousness of the situation and its implications for peace and stability in the West African sub-region, including Liberia itself.

Thirdly, and the most disturbing aspect of the situation is that Liberian Government continues to demonstrate through complacency and delaying tactics its belief that the Security Council is incapable of taking any action against that Government without the concurrence of ECOWAS. This belief is at the core of the whole question of whether or not the imposition of sanctions should be delayed.

It is the view of the Government of Sierra Leone that the Security Council should without further delay take up this serious challenge to its responsibility under Chapter VII of the Charter of the United Nations.

The Sierra Leone Government is convinced now more than ever before, that at the end of any two-month delay in the Security Council's consideration of sanctions, Liberia plans to request the Council through ECOWAS, to allow it more time to comply with the ECOWAS commitments. It would also argue that it lacks the financial and technical resources to comply with the commitments it made with ECOWAS.

While the Government of Sierra Leone is fully aware of the emerging international consensus that in imposing sanctions the Security Council

should ensure, among other things, that such measures do not create unbearable humanitarian consequences, it is the view of the Government that this is no longer a convincing argument in the case of the scope of sanctions now under consideration for Liberia. In deciding on nature, scope and timing of sanctions against Liberia, the Council should take into consideration the following:

- All member states of ECOWAS support the imposition of sanctions against Liberia. As the current Chairman of ECOWAS, President Alpha Konare of Mali told the Millennium Summit meeting of the Security Council, "sanctions form part of the means by which the Organization can take action. They must be adapted to their specific goals...The recent sanctions relating to the illicit exploitation of natural resources demonstrate how much more effective targeted sanctions can be."(S/PV.4194)

- No member of ECOWAS has argued that the proposed sanctions against Liberia would create serious humanitarian consequences for the people of Liberia. On the contrary, the people of Liberia have openly supported adoption of the sanctions resolution on their country and cited the fact that only a handful of people who have been identified in the sanctions committee report benefit directly from the privileges that will be suspended by the sanctions resolution.

- Inaction by the Security Council against Liberia has in effect not only contributed to the prolongation of the conflict, but execrated the humanitarian crisis that has overwhelmed the people in Sierra Leone for almost ten years.

- The gravity of the crisis and its impact on neighbouring countries, particularly Guinea, are on the records of UNICEF, UNHCR, OCHA and other international organizations and agencies. As the representative of Mauritius vividly described it, when one reads the report of the UN Panel of Experts on diamonds and arms in Sierra Leone, "...the image that comes to mind is that of numerous children, women and men who have suffered cruel death or have been severely maimed and disabled in the senseless conflict that has gripped Sierra Leone for several years.. It is indeed outrageous that the lives of so many innocent Sierra Leonean children, women and men, have been extinguished and so many others have been condemned to live miserably for ever with vital limbs cut off

simply because a powerful few have entertained a sinister dream to amass unlimited wealth through illegitimate means." (S/PV.4264)

- A week ago UNICEF reported that the RUF was still holding 500 children; that some 10,000 children have lost contact with their families, while over 1,000 girls had become victims of rape. These and other human conditions were certainly not the consequences of sanctions.

- The people of Sierra Leone bore the brunt of sanctions imposed by ECOWAS in 1997 against the military/rebel junta with the blessing of the Security Council.

- The people of Sierra Leone are already feeling the negative effects of the ban on the export of Sierra Leone diamonds under resolution 1306 (2000). They are however aware that the ban would, in the near future, help to break the link between the trade in diamonds and arms, and contribute to ending the rebel war.

The Government of Sierra Leone would therefore like to appeal to the Security Council to alleviate the suffering of the people of Sierra Leone, and prevent further deterioration of the current humanitarian situation in Sierra Leone and in the neighbouring countries, by taking a decision as expeditiously as possible, to impose sanctions against Liberia based on the findings and recommendations of its Panel of Experts on diamonds and arms.

United Nations S/2001/166*

Security Council

Distr.: General
26 February 2001

Original: English

Letter dated 23 February 2001 from the Permanent Representative of Sierra Leone to the United Nations addressed to the President of the Security Council

Upon instructions from my Government, I have the honour to transmit herewith the text of a statement issued by the Government of Sierra Leone on 23 February 2001, concerning the question of sanctions against Liberia (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council

(*Signed*) Ibrahim M. **Kamara**
Ambassador
Permanent Representative

* Reissued for technical reasons.

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Annex to the letter dated 23 February 2001 from the Permanent Representative of Sierra Leone to the United Nations addressed to the President of the Security Council

Government of Sierra Leone statement on United Nations sanctions against Liberia

23 February 2001

It is now almost a month since the United Nations Security Council discussed the report and recommendations of the UN Panel of Experts set up last year to make an in-depth study of the role of diamonds in fuelling the armed conflict in Sierra Leone.

Sierra Leone participated in that discussion, concurred with the findings of the Panel, and endorsed its recommendation that the Security Council impose sanctions against Liberia for actively supporting the RUF at all levels, in providing military training, weapons, logistical support, staging ground for attacks and a safe haven for RUF retreat and recuperation.

It is now almost two weeks since the Council and an ECOWAS Ministerial delegation met privately in New York to consider the question of imposing a series of sanctions against Liberia. While there was overwhelming support for sanctions, there was a feeling that such measures should be delayed for at least two months to allow the Government of Liberia to comply with a number of commitments it had made to ECOWAS to address the problems

The Government of Sierra Leone took note of the views expressed by both sides in the discussion, and looked forward to the Council's formal response to the ECOWAS request.

Conscious of the need to muster the widest possible support among members of the UN Security Council for the proposed sanctions, the Government of Sierra Leone was even prepared to consider a compromise, namely, that should the Council decide to adopt a draft resolution on sanctions against Liberia immediately, but to have it take effect two months thereafter, Sierra Leone would go along with such a course of action.

However, the Government of Sierra Leone has since come to the conclusion that the basis on which ECOWAS had advocated a two-month delay in the application of sanctions is gradually being eroded by the Liberian Government itself. First of all the least that the Government of Liberia could have done to strengthen the credibility of ECOWAS, and to justify the proposed two-month delay, was to have taken immediate and verifiable action within these two weeks, to fulfill some of those basic commitments that did not require technical or financial assistance from any international organization. It has failed for instance, to show proof and independent verification of the steps it claims it has taken to "disengage" itself from the RUF. It continues to harbor senior members of the RUF and their families. It continues to violate the arms embargo imposed by resolution 788 (1992); the provisions on the sale or supply of arms and related materiel imposed by resolution 1171 (1998); as well as its obligations under the ECOWAS Moratorium on arms imports.

The Government of Liberia is also gradually eroding the credibility of ECOWAS by demonstrating a lack of understanding of the seriousness of the situation and its implications for peace and stability in the West African sub-region, including Liberia itself.

Thirdly, and the most disturbing aspect of the situation is that the Liberian Government continues to demonstrate through complacency and delaying tactics its belief that the Security Council is incapable of taking any action against that Government without the concurrence of ECOWAS. This belief is at the core of the whole question of whether or not the imposition of sanctions should be delayed.

It is the view of the Government of Sierra Leone that the Security Council should without further delay take up this serious challenge to its responsibility under Chapter VII of the Charter of the United Nations.

The Sierra Leone Government is convinced now, more than ever before, that at the end of any two-month delay in the Security Council's consideration of sanctions, Liberia plans to request the Council through ECOWAS, to allow it more time to comply with the ECOWAS commitments. It would also argue that it lacks the financial and technical resources to comply with the commitments it made with ECOWAS.

While the Government of Sierra Leone is fully aware of the emerging international consensus that in imposing sanctions the Security Council

should ensure, among other things, that such measures do not create unbearable humanitarian consequences, it is the view of the Government that this is no longer a convincing argument in the case of the scope of sanctions now under consideration for Liberia. In deciding on nature, scope and timing of sanctions against Liberia, the Council should take into consideration the following:

- All member states of ECOWAS support the imposition of sanctions against Liberia. As the current Chairman of ECOWAS, President Alpha Konare of Mali told the Millennium Summit meeting of the Security Council, "sanctions form part of the means by which the Organization can take action. They must be adapted to their specific goals...The recent sanctions relating to the illicit exploitation of natural resources demonstrate how much more effective targeted sanctions can be."(S/PV.4194)

- No member of ECOWAS has argued that the proposed sanctions against Liberia would create serious humanitarian consequences for the people of Liberia. On the contrary, the people of Liberia have openly-supported adoption of the sanctions resolution on their country. They cite the fact that only a handful of people who have been identified in the United Nations Expert Panel report, and who benefit directly from privileges, would have their privileges suspended if sanctions were imposed on Liberia.

- Inaction by the Security Council against Liberia has in effect not only contributed to the prolongation of the conflict, but exacerbated the humanitarian crisis that has overwhelmed the people in Sierra Leone for almost ten years.

- The gravity of the crisis and its impact on neighbouring countries, particularly Guinea, are on the records of UNICEF, UNHCR, OCHA and other international organizations and agencies. As the representative of Mauritius vividly described it, when one reads the report of the UN Panel of Experts on diamonds and arms in Sierra Leone, "...the image that comes to mind is that of numerous children, women and men who have suffered cruel death or have been severely maimed and disabled in the senseless conflict that has gripped Sierra Leone for several years.. It is indeed outrageous that the lives of so many innocent Sierra Leonean children, women and men, have been extinguished and so many others have been condemned to live miserably for ever with vital limbs cut off

simply because a powerful few have entertained a sinister dream to amass unlimited wealth through illegitimate means." (S/PV.4264)

- A week ago UNICEF reported that the RUF was still holding 500 children; that some 10,000 children have lost contact with their families, while over 1,000 girls had become victims of rape. These and other human conditions were certainly not the consequences of sanctions.

- The people of Sierra Leone bore the brunt of sanctions imposed by ECOWAS in 1997 against the military/rebel junta with the blessing of the Security Council.

- The people of Sierra Leone are already feeling the negative effects of the ban on the export of Sierra Leone diamonds under resolution 1306 (2000). They are however aware that the ban would, in the near future, help to break the link between the trade in diamonds and arms, and contribute to ending the rebel war.

The Government of Sierra Leone would therefore like to appeal to the Security Council to alleviate the suffering of the people of Sierra Leone, and prevent further deterioration of the current humanitarian situation in Sierra Leone and in the neighbouring countries, by taking a decision as expeditiously as possible, to impose sanctions against Liberia based on the findings and recommendations of its Panel of Experts on diamonds and arms.